

Standing Strong: Confronting Unethical Conduct (Cadet Version)



WASHINGTON — A sergeant responsible for advising students at the United States Military Academy in West Point, N.Y., has pleaded guilty in a case that included accusations that he secretly videotaped female cadets, some as they undressed in the locker room, and will serve a 33-month sentence, the Army said Thursday.

Sgt. First Class Michael McClendon will be reduced in rank to private before being thrown out of the Army with a bad-conduct discharge after serving out his sentence, officials said.

Those punishments were handed down after a general court-martial was convened at Fort Drum, N.Y., on Wednesday. In accordance with a pretrial agreement and a guilty plea to one charge with eight specifications of committing indecent acts, Sergeant McClendon's confinement for five years was reduced to 33 months. (**New York Times:** By [THOM SHANKER](#) MARCH 6, 2014)

CASE STUDY VIDEO VIGNETTE: DISCUSSION GUIDE

For all members of the Army Profession

<http://cape.army.mil>

Standing Strong: Confronting Unethical Conduct (Cadet Version)

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BASIC CONCEPTS

- ☐ Watch the video and read the transcript prior to discussion.
- ☐ Review “Facilitation Best Practices.”
- ☐ See “Additional Resources” for more content.
- ☐ Think about a personal experience, story, or event which relates to the scenario and consider using this as a way to start the discussion.
- ☐ Present each part of the vignette and lead an open discussion which relates to desired learning outcomes. Listed below are “Sample Discussion Questions” to assist in facilitating the class.
- ☐ After watching and discussing each part of the story, identify the takeaways and discuss how each participant will apply this experience.

FACILITATION: BEST PRACTICES

The facilitator’s main role is to be a catalyst for conversation and learning about the topic at-hand. This video case study contains several rounds of discussion and ends with time to reflect on personal stories and vignettes that relate to the video.

Here are some key points to consider when preparing to facilitate a discussion:

- ☐ Let participants do most of the talking.
- ☐ The facilitator’s key role is to ask questions which spark thought and conversation.
- ☐ Ensure you engage everyone within your group and set the conditions for them to share thoughts openly. Do not let any one person or group of people dominate the conversation. Ask questions/opinions of the “quiet ones” to bring them into the group discussion.
- ☐ Have questions prepared for each round to drive the conversation. Ask open-ended questions and encourage participants to elaborate on their answers/thoughts.

You are the catalyst for conversation. Make sure you continue to ask questions that make your group dig deeper. For more information and guidelines on facilitating professional development discussions, visit the CAPE Website at <http://cape.army.mil>.

VIDEO TRANSCRIPT

Introduction

CDT Kelly Kingma reported her tactical NCO for unprofessional conduct. After several investigations, it was found that he photographed and filmed females without their knowledge and consent. He pled guilty to one charge and eight specifications of a violation of Article 120 of military law for "indecent acts."

As a two time Ironman finisher there is no doubt Cadet Kelly Kingma is "tough." Throughout this two-year ordeal the harsh criticism she received from her peers for reporting a competent and well liked career NCO for these unprofessional acts bothered her most. She is sharing her story to help others understand the importance of supporting those who come forward with an allegation of wrongdoing.

One Incident Leads to Another

SFC McClendon, who's my TAC NCO, walked in the showers on me twice, once before I was about to shower, once after. And the way that the latrines are set up is there's a changing area, so both times I had nothing on in the latrine area-- the changing area-- excuse me. And a few other that just gave me these vibes that something wasn't right led me to the following year, my yearling year, sophomore year, to report to a 15-6 investigation-- not based on sexual assault or sexual harassment or anything, but just based on my suspicions to that point. He was my Tactical NCO, and company detail, and other incidents that kind of made me suspicious were he would just come into my room without knocking

and kind of creep up behind me and be like, "Hey, what's going on, Cadet?" and call me at the back of formation several times, like almost guaranteed once a week, saying like, "You're in trouble," but kind of just as like in a threatening kind of playful thing.

So those things kind of always made me feel a little uneasy, but knowing the Tactical NCO position, or what little I did know at that time, I thought maybe that kind of intimidation, kind of make you feel on your toes, was the point. So I didn't really understand that role. At one point I think he came into my room and looked through my things-- just kind of weird things. I had a boyfriend from a prior relationship and he told me outright that he didn't approve of that, didn't like that.

I think it would be a combination of an incident my yearling year, in the winter, where I had to empty my trashcan out or something-- I was in trouble with SFC McClendon, and he kind of was like, "Hey, you need to do this right now, or else," and I was kind of-- it was a Sunday afternoon. I was walking back from either brunch or church with my boyfriend. And so I said to my boyfriend, "Hey, just go back to your room. He doesn't like you. I don't want to have any-- I don't want to cause any dramas here. I'll just go take my trash out." And after that, SFC McClendon pulled me aside again and is like, "Sit down," and kind of kept asking me these questions, personal questions about if I was going to marry my boyfriend-- just very personal questions. And after that, I kind of had this feeling like, "This is just not really the role." None of it was militarily related or academically related.

So I called one of my mentors. She's an OR for my triathlon team and someone who I really respect. And I just said, "You know ma'am, these things have happened. I don't know if it means anything, but what are the next steps from here? Because I don't really feel comfortable in this situation and I don't think it's getting better." So she immediately gave me the SHARP representative number and said, "Hey, you might not think its SHARP related, but all these things kind of point that direction, so just get an investigation going so you can get this off your chest."

Being Tough Doesn't Make You Immune

I think being really new in the Army-- technically kind of in the Army but at the same time a cadet-- you don't really put these things together. And I think everybody thinks that--, "This is not going to happen to me. It's a prevalent issue, but why would it happen to me? I'm tough." And that whole tough mentality, it doesn't make you immune to having these things happen to you, and I think that's a common thing that people believe, that because they're tough they-- either it happens to them, and they could just let it go or whatever. But really, I think it's important to stand up and say-- realize that these things can happen to you and everybody's vulnerable to a point-- not saying that you're weak. And I think I was really afraid to use those words because of the negative connotation and the stigma related to it. And at that point, I had no proof to myself. In my gut I knew that there was something wrong and I knew-- well, I didn't know, but I had a very strong, 90 percent feeling that it was SHARP-related. But was I going to--

that "You'll ruin his career" from all my classmates, it was just kind of ringing in my ears. So I wanted to take it very seriously. When I spoke with the SHARP representative, she gave me the definitions of all these-- like, "Is it sexual harassment? Is it sexual assault?" I said, "No. Maybe its harassment, but I can't say wholeheartedly." And because I couldn't say that at the time, I just didn't feel comfortable with that, which goes along with the unfortunate stigma there is, but also you kind of want to be sure when you make an accusation.

Courage to follow through on the accusation

It was a combination of factors, I would say, that knowing that he would be moving on to the next post and maybe he had some kind of issues that wouldn't have been resolved. That bothered me, so I wanted to see something through that I had started and wanted to have some kind of answers or clarification for my own sake. My parent kind of taught me to be tough and to, if you know something is right, and you know right from wrong-- and if you know something is wrong, to stand up for what you believe is right. And that's kind of like-- whether you see it as a character-- a good character trait or a bad character trait, I'm very stubborn and I don't like injustices, and I felt like there was an injustice happening. So I believed I should have followed it through, and kind of accepting that things were going to happen in a negative way to me. I just did that because I knew that I would regret this decision if I hadn't said anything. I could have easily asked to change out of the company and then that be it. They said the investigation

was inconclusive, and that's it. And that happened the first time. And then they had another investigation that was also inconclusive. But at least that I kind of spoke and went forward with this I think helps lift a big-- a lot of pressure off myself. And I'm sure for any other potential victims, if you speak about it; it really kind of helps you because you know that there are others on your side who want to help you.

Stigma Associated with Coming Forward

So, not being familiar with how these investigations go, and I know that once-- well, typically, if a girl comes forward with an accusation like this, there's always going to be rumors. "Oh, she's making it up," or "She wants to leave the company because she's not happy here." And frankly that wasn't the case for me. I mean, I was pretty busy with sports, so what little interaction I had with my company mates was-- I wouldn't say negative; I would say fairly positive. And so I asked to leave, and after that, I kind of had-- I kind of knew there would be a little bit of backlash. I didn't know to what extent or how much it would kind of bother me. So, I mean, I guess for an example, in a company there's a hundred-plus cadets, and even of the close five or six that I held very closely from my B squad, none of them would talk to me, and either not look you in the eyes, or if they did, some cadets would give me dirty looks. And so to me, I thought that was just sad. Like I didn't-- I took it personally at the time, but then a couple months later I think I started to realize, "Okay, this NCO is well liked. They didn't find any hard evidence on him, and they kind of still have faith in him." So I could see how it was very easy to think

that I was making this up or that I was wrong. The thing that struck me was that the cadets who knew of the incidences and believed the facts still thought I was wrong for reporting.

Cadet Russell Bowers and Cadet Kelly Kingma were friends and classmates at the United States Military Academy at West Point.

Forever One Team (Part 1)

Well, to start off, basically I had heard Kelly talking about these things to me that I had heard both from her and maybe from around the company and well I had heard these things and understood them. I talked to Kelly about it through discussions, it was something that either didn't register with me, or at times I thought it was overblown or exaggerated and from there, I decided that she was taking it to a very serious level, a level where I thought careers at stake, life was... You know a change of... Someone's life is at stake and I disagree with her decision of what she was doing. It was a personal decision, once she took it to the next level to kind of make it a formal investigation, I decided that I disagree with her and I think I made that clear but then once she continued to go forward didn't want to continue to associate myself with her because she was making the wrong decision in my eyes

Trust and Loyalty are not Just Words

So, to me it was shocking that after the incident had kind of become apparent,

like all the facts were pretty clear and it had been released in the media, I was actually at cadet summer training when I found out about this, and we had had lots of briefs on it. And so I was kind of like the silent one, like, "Oh, that was-- that happened to me." And I think it was just kind of strange that people continued to ignore it. And I know it's easier to ignore-- kind of like the elephant in the room. But I feel like even me saying hi to the people in my old company now-- because I've forgiven them, whether or not they want to say sorry. I think it's important to accept when you're wrong, or when you've made a mistake, and to me that's important to gain that trust back. Immediately I would forgive every single one of them, because I can understand why they thought what they did, just like Cadet Bowers. I understand why he had a hard time kind of being sympathetic for me or standing by-- not that I condone his actions, but for people who are in these types of situations, they need a safety net, and I'm really lucky to have a great family and a few friends here that I can trust. But not everybody has that, so I think it's important that trust and loyalty and all these things are not just words that we have; they're actually pretty important. And even our class motto-- is "Forever One Team"-- I thought was the stupidest thing for a while-- <chuckles>-- because I was like, "Where's my team?" So I think really kind of standing up for the values that you preach all the time is important, and especially just-- I'm pretty sure anybody in my situation would be willing to forgive because we all make mistakes.

Forever One Team Part 2

So following all that situation I think I really separated myself from Kelly, really kind of isolated her during the situation and finally once it all kind of came out one way or another whether I heard through other friends or... Then finally the media, I found out that I was 100 percent wrong, horribly wrong in my decision to tell Kelly not to do the things she was doing and ultimately to isolate her as a friend. And whenever you know, I think it had been probably 12 months when it all kind of came out and I'm a stubborn person for who I am and it took a while to realize like how much guilt I had built up about completely abandoning someone during that kind of a situation because it was so clear that I was wrong throughout the whole extent of the issue. So I think I saw Kelly one day. I remember seeing her walking, she said hello to me, I said hello to her. Then I saw her again the next day and it was just... I had been thinking for a long time I needed to say something, I finally did. Just no more than that, that pang of guilt that you get when you see somebody that you've done something wrong. Well I thought it was the least I could do, the right thing I could do at that point. You know, after a series of wrong decisions the last... Or the least I could do was to say, "Hey, I really messed up here. This is what I should've done, but it's over now and I'm really sorry."

Belief in the System

I think it's important to be informed about the Uniform Code of Military Justice, and then to also realize that you have a lot-- America's sons and

daughters are entrusted in you, and it's a huge responsibility that you can't take lightly, especially when these incidences occur. I think investigations are always the way to go kind of to get all the evidence out and to air what-- any rumors. Because like the myth of, "You're going to ruin his career"-- I don't think that applies. If there's evidence to be found, it'll be found. If there's not, there won't be. But I think people kind of need to kind of get over that "It'll ruin his career" idea, and I believe in the system. I think that people have to be prepared for how long it takes, because it takes two years, sometimes three years, to actually go to court. But I think at the end of the day if you're genuine and the facts are there, I think the outcome will be successful, or successful to you.

Safety and Well-being

I think especially in the military, you have uniforms, and you've got badges, you've got deployment badges, and you know how long everybody has been working. And SFC McClendon had 20-plus years-- Sergeant First Class. So, I'm a cadet-- very limited experience-- and you kind of question your own experience versus the others. It's just intimidating because of the rank structure to say that, "I think there's something wrong with this person," because you kind of think, "What little do I know?" But it is your safety and well-being. So it should be your first priority, or it should be most important to you. Whether or not the other individuals, the other girls who were videos, along with myself, felt that it bothered them or not, I think it bothered everybody to a degree, because their trust was violated. And I think that-- I saw that kind of stigma still resonate with

them because I think they wanted to be tough and say, "It doesn't affect me a lot." And it does affect everybody to different degrees. But I think there's no question that this was a violation of your well-being and your safety, and that it's something that we shouldn't stand for as an organization.

It Stops With You

I think a little bit you got to think about outside yourself and think, "Okay, most likely it'll be negative repercussions to some degree." Maybe not as bad as others. Maybe you won't be isolated so much. But there's going to be negative repercussions, but in order to help the organization and help others and get those wrong-- those people who shouldn't be here, or in the organization, out, you have to stand up and suffer a little bit more in order to help the greater good. So you don't want those people moving on and affecting others. Because I know, talking to a lot of people who-- even in the civilian world-- this has happened to, that was their biggest regret, that they didn't do something, because those people continue their patterns of behavior. So kind of stopping it at you-- if you realize there's a problem-- think about not just yourself but others, because it-- yeah.

Don't Contribute to a Negative Culture

I think that before all the evidence is made clear to you as an individual-- let's say I had nothing-- I didn't have much connection with the case or anything, just kind of know that there's an incident going on, but if you're not a part of it or you don't

know the details to hold your judgment until there's more evidence because if you don't really know what's going on or you hear rumors-- I walked in the bathroom one day and heard some girls talking about me pretty loudly to other freshman, plebes. So to me that's kind of like, you know, I think they have something better to talk about, but to just not be a part of that rumor cycle because it doesn't do anyone any good and it kind of just elevates these-- it kind of brings an unnecessary importance to these events. Oh, definitely. I think, yeah, if you're implicating the new kids and you're telling them, "This girl lied. She's just a part of the problem, you know, you know, SHARP, SHARP," you know, it's about all these different incidents, in your mind you're like, oh, great. As a girl you'd say, "Oh, look. She's kind of like misrepresenting the females and, you know, saying that they're- that they're weak, vulnerable, all these different things, that they're liars," and it's hurtful to me personally, but it's hurtful also because you know that those new members now have this tainted view of what SHARP is and what it stands for and then also that that member of the team without even having met me. So I think it's important that you keep your personal-- even if you have these judgments you keep them to yourselves in your closed doors but you don't spread those kind of things.


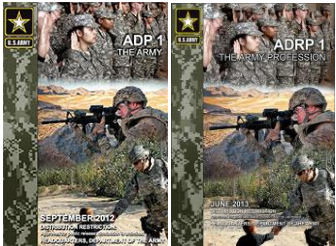
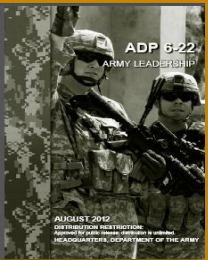
Lesson Learned

I think Kelly said it best when we were talking about this a couple months ago. I can't say I would go back and act differently in terms of what I would disagree with because my calculations were... Or my decision making was pretty standard in what I thought and what I decided to do. What she said that really resonated with me that I think is my personal takeaway is that you know, it didn't really matter that I disagreed with her and that's fine, you know, friends can disagree but what does matter is that I completely isolated her and I completely you know, kind of cut her off from my friendship just based on those decisions. Instead of supporting... You know, not even necessarily standing with, you know, you can go along the lines of you know, "I disagree with you but, I understand you're going through something and I'm here if you need to talk about it," that is a much more important thing to do than you know, to make this cut and dry choice that you know, you no longer... You don't want to be friends with someone just because they're going through a situation you disagree with.

The Army Profession demands that every Soldier, Army Civilian, and Family member Stand Strong by taking personal responsibility for their own behavior, for confronting unacceptable conduct, and for resolving any incident that demeans an individual's dignity and respect.

ADDITIONAL RESOURCES

The following resources are available:

	<p><u>Center for the Army Profession and Ethic:</u></p> <p>Visit the CAPE Website: http://cape.army.mil</p> <p>Stand Strong Webpage: http://cape.army.mil/aaop/stand-strong/</p>
	<p><u>In Doctrine ADP 1 (The Army) & ADRP 1 (The Army Profession):</u></p> <p>http://armypubs.army.mil/doctrine/DR_pubs/DR_a/pdf/adp1.pdf</p> <p>http://armypubs.army.mil/doctrine/DR_pubs/dr_a/pdf/adrp1.pdf</p>
	<p><u>In Doctrine ADP 6-22 (Army Leadership):</u></p> <p>http://armypubs.army.mil/doctrine/DR_pubs/dr_a/pdf/adp622_new.pdf</p>

SAMPLE DISCUSSION QUESTIONS

“One Incident Leads to Another...”

[Watch this segment – 00:00 to 04:30]

1. How did the actions of SFC McClendon (the Tactical NCO) demonstrate lack of character, and commitment as an Army Professional? How did his actions detract from the five essential characteristics of the Army Profession? (Military Expertise, Honorable Service, Trust, Stewardship, and Esprit de Corps.)
2. Why was Cadet Kingma initially hesitant to report or even talk about her being uncomfortable with SFC McClendon? How difficult is it to overcome uncertainty in what to do? Did having someone to talk to help or hurt in this situation? Why?
3. What are the possible outcomes for Cadet Kingma if she follows her mentor’s advice to contact the SHARP representative? What about possible outcomes for SFC McClendon? What would you do in this situation?

“Being Tough Doesn’t Make You Immune”

[Watch this segment – 04:30 to 06:16]

1. Cadet Kingma uses the term “Tough”. What does it mean to be “tough” as an Army Professional?
2. What is the decision Cadet Kingma is struggling with? What actions did she take to help work through the decision? How did the comments from the Cadets within Cadet Kingma’s company affect her decision concerning SFC McClendon?
3. What do Cadet Kingma’s concerns about reporting her uneasiness to the SHARP representation say about the climate and culture she was experiencing at the Military Academy? What type of culture appeared to exist in the company based on the comments of her fellow Cadets?
4. How does the culture in your organization foster a professional environment? What can you do as an individual to further improve the culture in your organization?

“Courage to Follow Through on the Accusation”

[Watch this segment – 06:16 to 07:54]

1. What Army Values were described in the interview? Give specific examples. Which Army Values did Cadet Kingma specifically show? How?
2. How do a person’s experiences shape their character? How does Cadet Kingma demonstrate “Standing Strong” for what she believes in?
3. When did you or someone you know have the “courage to follow through” with a tough decision?

“Stigma Associated with Coming Forward”

[Watch his segment – 07:55 to 09:35]

1. Do you agree with the reaction of Cadet Kingma’s peers? What might they have done differently?
2. What does it say about the Company Cadets who are described as “they believed the facts, and still thought that Cadet Kingma was wrong for reporting”? How can attitudes like this develop in a company?
3. How can we, as professionals, combat those attitudes if they exist within our organization?

“Forever One Team” Part 1

[Watch this segment – 09:35 to 10:48]

1. Do you agree with Cadet Bower’s assessment and reaction to Cadet Kingma’s situation?
2. Cadet Bower said he disagreed with Cadet Kingma’s decision and course of action to move forward with the report. He said at that point he no longer wanted to associate with her. What does this say about his emotional feelings in this situation? What actions should Army Professionals take when there is disagreement between them? How do you resolve differences of opinion?

“Trust and Loyalty are not Just Words”

[Watch this segment – 10:48 to 12:48]

1. What happens in a company when the members do not acknowledge and resolve mistakes that are made or when new information changes the understanding of a situation? Why do you think Cadet Kingma’s company members had difficulty coming to terms with the results of the investigation?
2. What does Trust mean to you? What conditions are required to foster a climate of Trust? How is Trust reflected in the Cadet Honor Code?
3. How does the Army Value of Loyalty apply to this situation? Can unit members still be “loyal” to one another even if they disagree? Explain.
4. Describe a time when you had to work to restore Trust and loyalty with other members in your group.
5. Cadet Kingma says that it is important not just to talk about what you believe in, but to act on it. What does this indicate about her character?

“Forever One Team” Part 2

[Watch this segment – 12:48 to 14:32]

1. What are some of the factors that affect how we perceive situations and ultimately affect our behaviors as we make decisions and take actions associated with them? What can we do to recognize factors that adversely affect our perception in a situation?
2. Can you think of a time when you were wrong about something but later came forward to admit your error?
3. Do you think you would have the courage to admit your error to Cadet Kingma? Do you think you would have the courage to admit your error in a setting such as this case study?
4. What are the benefits to admitting when we are wrong?

“Belief in the System”

[Watch this segment – 14:32 to 15:49]

1. What responsibilities do leaders have in resolving situations like Cadet Kingma's? How important is it for leaders to do the right thing and model proper ethical leadership for their subordinates and peers?
2. What would cause persons to avoid following the investigative process? How important is it for members to Trust in the processes of the Army Profession? Have you encountered a situation where you thought the investigative process should not be used? Explain.

"Safety and Well-being"

[Watch this segment – 15:49 to 17:16]

1. Cadet Kingman refers to our personal "safety and well-being" as a primary concern for an individual. How did her own personal safety and well-being relate to the interests of the Army as an organization?
2. What are some of the 2nd and 3rd level effects of SFC McClendon's actions?
3. What are some of the 2nd and 3rd level effects of Cadet Kingma's actions?

"It Stops with You"

[Watch this segment – 17:16 to 18:16]

1. Why is it important to deal with problems and not pass them on to other people or organizations?
2. Which of the Army Values does Cadet Kingma demonstrate in this segment?
3. How is Cadet Kingma acting as an Honorable Servant? As a Steward of the Army Profession?

"Don't contribute to a Negative Culture"

[Watch this segment – 18:16 to 20:23]

1. What responsibilities do Army Professionals have in promoting climate and culture that enhance mission accomplishment, development of new members, and open, candid dialogue? What factors contribute to these types of positive environments?
2. What are the results of a positive environment? Give examples from your experiences.

"Lessons Learned"

[Watch this segment – 20:23 to 22:54]

1. How can we support the members of our unit even when we disagree with them? What are the best ways to give that support?
2. In cases where there is an investigation that is still being conducted, why is it important for leaders and peers to treat all the persons in the situation, victims and accused, as members of the unit, with respect and dignity?
3. Why is it important for Army Professionals to discover the truth in situations? How can Army Professionals ensure they consider the Army Ethic when making decisions and taking action?

AAR/CHECK ON LEARNING

Personal Vignettes and Takeaways

Facilitator asks students to share any personal vignettes and takeaways from the module.

It is important for the group to relate to this story on a personal level. Conclude the module emphasizing the significance of Cadet Kigma's experience. Soldiers/Cadets should walk away with a better understanding of the Army/Cadet life, and be able to convey the importance of the Army Profession to others.

Upon concluding, the following questions are useful for determining learning and promoting reflection:

Learning	Q – What did you learn from listening to the reactions and reflections of others? Q – What are the future implications of this information and / or experience?
Reflection	Q – How do you feel / what do you think about what you learned? Q – What will you do with your new information? Q – How can you apply this experience to better develop yourself and your fellow professionals?